

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROBERT DUVALL, Individually and On	:	
Behalf Of All Others Similarly Situated	:	
	:	Civil Action No. 2:12-5109 (SRC-CLW)
Plaintiff,	:	
	:	Honorable Stanley R. Chesler
v.	:	
	:	
PAR PHARMACEUTICAL COMPANIES,	:	
INC., PETER S. KNIGHT, PATRICK G.	:	
LEPORE, RONALD M. NORDMANN,	:	
THOMAS P. RICE, MELVIN SHAROKY	:	
JOSEPH E. SMITH, PATRICK J.	:	
ZENNER, TPG CAPITAL, L.P., SKY	:	
GROWTH HOLDINGS CORPORATION	:	
and SKY GROWTH ACQUISITION	:	
CORPORATION,	:	
Defendants.	:	

SARATOGA ADVANTAGE TRUST	:	
HEALTH & BIOTECHNOLOGY	:	
PORTFOLIO, Individually and on	:	
Behalf of All Others Similarly Situated	:	
	:	Civil Action No. 12-5652 (SRC-CLW)
Plaintiff,	:	
	:	Honorable Stanley R. Chesler
v.	:	
	:	
PAR PHARMACEUTICAL COMPANIES,	:	
INC., PETER S. KNIGHT, PATRICK G.	:	
LEPORE, RONALD M. NORDMANN,	:	
THOMAS P. RICE, MELVIN SHAROKY	:	
JOSEPH E. SMITH, PATRICK J.	:	
ZENNER, TPG CAPITAL, L.P., SKY	:	
GROWTH HOLDINGS CORPORATION	:	
and SKY GROWTH ACQUISITION	:	
CORPORATION,	:	
Defendants.	:	

NOTICE OF VOLUNTARY DISMISSAL

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

WHEREAS, plaintiff Robert Duvall filed a Class Action Complaint for Breach of Fiduciary Duties and Violations of the Federal Securities Laws, Civil Action No. 2:12-5109 (the “Duvall Action”), on behalf of himself and all others similarly situated against Defendants Par Pharmaceutical Companies, Inc., Peter S. Knight, Patrick G. Lepore, Ronald M. Nordmann, Thomas P. Rice, Melvin Sharoky, Joseph E. Smith, Patrick J. Zenner, TPG Capital, L.P., Sky Growth Holdings Corporation, and Sky Growth Acquisition Corporation (collectively, the “Defendants”) on August 14, 2012;

WHEREAS, plaintiff Saratoga Advantage Trust Health & Biotechnology Portfolio (together with Robert Duvall, “Plaintiffs”) filed a Class Action Complaint for Breach of Fiduciary Duties and Violations of the Federal Securities Laws, Civil Action No. 12-5652 (the “Saratoga Advantage Action”), on behalf of itself and all others similarly situated against Defendants Par Pharmaceutical Companies, Inc., Peter S. Knight, Patrick G. Lepore, Ronald M. Nordmann, Thomas P. Rice, Melvin Sharoky, Joseph E. Smith, Patrick J. Zenner, TPG Capital, L.P., Sky Growth Holdings Corporation, and Sky Growth Acquisition Corporation (collectively, the “Defendants”) on September 10, 2012;

WHEREAS, the Duvall Action and Saratoga Advantage Action were consolidated for all purposes under Civil Action No. 12-5109 on October 26, 2012 (the “Consolidated Action”);

WHEREAS, no Defendant in the Consolidated Action has served either an answer or a motion for summary judgment; and

WHEREAS, a class has not been certified in the Consolidated Action.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiffs voluntarily dismiss the Consolidated Action.

DATED: December 20, 2012

PASHMAN STEIN, P.C.

/s/ John T. Whipple

MICHAEL S. STEIN

JOHN T. WHIPPLE

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Health & Biotechnology Portfolio*